

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

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U.S. DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

JERRY EUGENE WHITLEY, #227246
PETITIONER,

vs.

J.L. GILES, WARDEN, ET.AL.
RESPONDANTS,

CIVIL ACTION NO.
3:05CV-427-F

* AMENDED *

REQUEST FOR ADDITIONAL TIME
IN WHICH TO RESPOND

COMES NOW THE PETITIONER IN THE ABOVE STYLED CAUSE, HEREBY REQUESTING AN ADDITIONAL TWENTY DAYS TO RESPOND TO THE COURT'S ORDER FOR PETITIONER TO RESPOND TO THE STATE'S ANSWER WHICH WAS ISSUED ON AUGUST 9, 2005.

PETITIONER HAS A VERY LIMITED ACCESS TO MATERIALS DUE TO THE INADEQUACIES OF THE LAW LIBRARY WHERE PETITIONER IS CURRENTLY BEING DETAINED. ALSO, IN PREPARATION OF HIS RESPONSE, PETITIONER MUST MAIL MATERIALS TO HIS FAMILY MEMBERS FOR COPYING PURPOSES DUE TO HIS FINANCIAL INABILITY TO AFFORD SAID COPIES. THIS ADDITIONAL TIME IS VERY PERTINENT FOR PETITIONER'S PROPER PREPARATION IN AN ADEQUATE DEFENSE.

WHEREFORE, IN CONSIDERATION OF THE FOREGOING REASONS, PETITIONER REQUESTS THAT THE COURT GRANT THIS REQUEST FOR TWENTY (20) DAYS ADDITIONAL TIME IN WHICH TO PREPARE FOR AN ADEQUATE DEFENSE, WITH SAID RESPONSE BEING DUE ON OR BEFORE SEPTEMBER 18, 2005.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT A TRUE & CORRECT COPY OF THE FOREGOING HAS BEEN FORWARDED BY PRE-PAID UNITED STATES POSTAL SERVICE BY PLACING SAID IN THE MAIL BOX AT VENTRESS CORRECTIONAL FACILITY P.O. BOX 767, CLAYTON, ALA. 36016 ON THIS 25TH DAY OF AUGUST 2005 TO THE FOLLOWING:

(1) UNITED STATES DISTRICT CLERK
MIDDLE DISTRICT
P.O. BOX 711
MONTGOMERY, ALABAMA. 36101

(2) OFFICE OF THE ATTORNEY GENERAL
CRIMINAL APPEALS DIVISION
11 SOUTH UNION STREET
MONTGOMERY, ALABAMA. 36130

PETITIONER / AFFIANT

Jerry Eugene Whitley 227246
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